

## UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

## In the Matter of the Search of

(Briefly describe the property to be searched  
or identify the person by name and address)USPS Retail Ground Package Tracking Number 9534614802288305190297,  
postmarked November 1, 2018, 16 pounds 6.4 ounces, addressed to CLARA  
YEPEZ P.O. BOX 8583 HIDALGO, TX 78557 [sic] with a return address of  
JUAN DOMINGUEZ 836 W. MAIN ST TROY, OH 45373 [sic].

Case No.

2018 NOV -2 PM 1:56

U.S. DISTRICT COURT  
SOUTHERN DIST. OHIO  
WESTERN DIV.

3:18 mj 722

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

USPS Retail Ground Package Tracking Number 9534614802288305190297

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

Controlled Substances, materials and documents reflecting the distribution of controlled substances through the U.S. Mails, including money and/or monetary instruments paid for controlled substances

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of: Title 21

## Code Section

## Offense Description

841 (a) (1), 843 (b) &amp; 846

Conspiracy to distribute a controlled substance  
 Possession with intent to distribute a controlled substance

The application is based on these facts:

See attached affidavit of U.S. Postal Inspector Rossiter

- ☒ Continued on the attached sheet.  
☐ Delayed notice \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

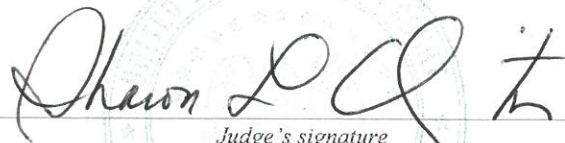
Joseph L. Rossiter, U. S. Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 11-2-18

City and state: Dayton, Ohio



Judge's signature

Honorable Sharon L. Ovington  
 United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
DAYTON, OHIO

STATE OF OHIO                    )  
  ) SS  
COUNTY OF MONTGOMERY )

AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, JOSEPH ROSSITER, HAVING BEEN DULY SWORN, DEPOSE AND STATE: I am a United States Postal Inspector, having been so employed since May 2016. I am presently assigned to the Cincinnati Field Office, Pittsburgh Division of the Postal Inspection Service with investigative responsibility for southeast Indiana, and southern Ohio. Part of my investigative responsibility involves the use of the United States Mail in the transporting of narcotics and other dangerous controlled substances and financial proceeds relating thereto.

Based on my training and experience, I have become aware that drug traffickers frequently use Priority Mail Express, a business-oriented overnight service offered by the United States Postal Service, to transport narcotics and other dangerous controlled substances, and their proceeds or instrumentalities from the sale of the controlled substances. Based on my training and experience, I also know that drug traffickers frequently use Priority Mail with delivery confirmation, a 2-3 day service offered by the United States Postal Service. As a result of investigations and successful controlled substance prosecutions where the U.S. Mail was used, I have learned of certain characteristics indicative of other U.S Mail items previously identified as containing narcotics or other dangerous controlled substances, their proceeds or instrumentalities from the sale of the controlled substances. Some of these characteristics include, but are not necessarily limited to or used on every occasion, the mailer using different post offices on the same day to send packages, false or non-existent return address, the addressee is not known to receive mail at the listed delivery address, the package is heavily taped, the package is mailed from a known drug source location, labeling information contains misspellings, the label contains an illegible waiver signature, unusual odors emanating from the package, and the listed address is located in an area of known or suspected drug activity.

On November 2, 2018 I intercepted the package at the Troy Post Office in Troy, OH. The package is further identified as USPS Retail Ground Package Tracking Number 9534614802288305190297 addressed to CLARA YEPEZ P.O. BOX 8583 HIDALGO, TX 78557 [sic] with a return address of JUAN DOMINGUEZ 836 W. MAIN ST TROY, OH 45373 [sic] (Here after referred to as "the Package").

I did a check in CLEAR of the addressee's information on the Package CLARA YEPEZ P.O. BOX 8583 HIDALGO, TX 78557. CLEAR is a law enforcement database that is used as a tool for investigators to identify person/business and address information. According to CLEAR there is a "Clara Yepez" associated with PO Box 8583, Hidalgo, TX 78557.

I did a check in CLEAR on the sender's on the Package of JUAN DOMINGUEZ 836 W. MAIN ST TROY, OH 45373. According to CLEAR, there is no "Juan Dominguez" associated with 836 W Main St, Troy, OH 45373.

On November 2, 2018 Montgomery County Sheriff's Office Detective Anthony Hutson conducted a narcotic canine check of the Package. The Package was placed in a controlled area and presented to narcotic canine, "Gunner." "Gunner" alerted positively to the presence or odor of a controlled substance or their proceeds or instrumentalities upon the Package. As noted above, attached herewith, and made part hereof by reference, is a photocopy of the narcotic canine handler's record of examinations.

The Package is further identified as follows: Brown Box, 19" x 13" x 14" in size, bearing tracking number 9534614802288305190297, weighing 16 pounds 6.4 ounces, postmarked November 1, 2018, 018; see address information below:

**Sender:** JUAN DOMINGUEZ  
836 W. MAIN ST  
TROY, OH 45373

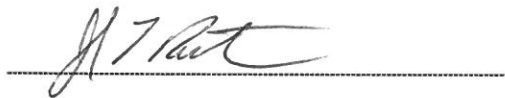
**Addressee:** CLARA YEPEZ  
P.O. BOX 8583  
HIDALGO, TX 78557

This information along with the positive alert of narcotic canine "Gunner" is indicative of drug packages or its proceeds.

Based on the information contained herein, I believe that contained in the Package is a quantity of a narcotic or other dangerous controlled substance, their proceeds or instrumentalities.

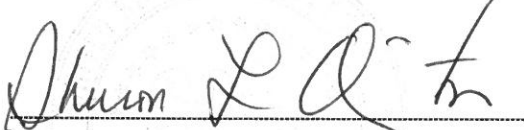
Therefore, a search warrant to open the Package is requested.

Further, your affiant sayeth naught.



Joseph L. Rossiter  
Postal Inspector

Subscribed and sworn to and before me this 2nd day of Nov, 2018.



Honorable Sharon L. Ovington  
United States Magistrate Judge



United States Postal Inspection Service  
Pittsburgh Division

## OFFICER AFFIDAVIT

I, ANTHONY HUTSON, am and have been employed by the MONTGOMERY CO. S.O. since 1998. Among other duties, I am currently the assigned handler of narcotics detection canine GUNNEL which is trained and certified in the detection of the presence or odor of narcotics described as follows:

marijuana, cocaine, methamphetamine and heroin

On 11-2-18, at the request of Postal Inspector ROSSITER I responded to Duyten P & DC where GUNNEL did alert to and indicate upon:

[describe item]

9534 6148 0228 8305 1902 97  
From: JUAN DOMINGUEZ To: CLARA YEPEZ  
836 W. MAIN ST P.O. BOX 8583  
TROY, OH 45373 HIDALGO, TX 78557

Which, based upon my training and experience and that of GUNNEL indicates there is contained within or upon the above described item, the presence or odor of a narcotic or other controlled substance.

D. J. W. 101  
(Signature and Date)  
[Signature] 11/2/18  
(Signature and Date)